



Headquarters Policy Flash

FLASH 2002-40

DATE: December 11, 2002
TO: Procurement Directors
FROM: Office of Procurement and Assistance Policy, ME-61
Office of Procurement and Assistance Management

SUBJECT: Extension of Price-Anderson Act:

- Awarded Contracts
- Proposed Awards
- Reinstatement of AL 2002-04

SUMMARY: On December 2, 2002, President Bush signed into law the Bob Stump National Defense Authorization Act for Fiscal Year 2003. Section 3171 of that Act extended the Price-Anderson Act (PAA) through December 31, 2004.

FLASH 2002-40
December 11, 2002

■ **Awarded Contracts**

As a result, any contracts awarded during the period of August 1 through December 2, 2002, that contained Pub. L. 85-804 indemnity coverage, i.e., the specially modified FAR clause at 52.250-1, in lieu of the then expired Price-Anderson indemnity clause at DEAR 952.250-70, should now be modified.

- ☛ The effective period for the specially modified FAR clause should be limited to August 1, 2002, or the actual award date, whichever is later, through December 2, 2002.
- ☛ The Nuclear Hazards Indemnity Clause at 952.250-70 should be added to the contract, effective to cover public liability from a nuclear incident arising on or after December 3, 2002. No other changes to the clause are necessary.


■ **Proposed Awards**

The Office of Contract Management will withdraw from the concurrence process any requests to the Secretary for authority to provide indemnification under Pub. L. 85-804. The Nuclear Hazards Indemnity Clause at 952.250-70 will replace the specially modified clause at FAR 52.250-1.

■ **Reinstatement of AL 2002-04**

With the extension of PAA through December 31, 2004, AL 2002-04 is hereby reinstated in full force and effect. Field offices should immediately rely on the guidance in AL 2002-04 for processing requests for Pub L. 85-804 indemnification coverage for contractors.

For questions related to this Flash, contact Bob Webb at (202) 586-8264 or via e-mail at robert.webb@pr.doe.gov


Gwendolyn S. Cowan, Director

cc:
PPAG Members